

10.05.2023
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IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(NDPS) 309 of 2023

In Re: An application for bail under Section 439 of the Code
of Criminal Procedure, 1973.

And

In the Matter of : Pintu Prasad.

.... petitioner.

Mr. Sourav Ganguly,
Ms. Esha Acharya

.....For the petitioner.

Mr. Nilay Chakraborty,
Mr. Sagnik Sankar Sikdar

.....For the State.

This is an application for grant of bail filed under Section 439 of the Code of Criminal Procedure, 1973 in connection with NDPS Case No.69 of 2021 arising out of Bhaktinagar P. S. Case No. 1137 of 2021 dated 30th August, 2021 under Sections 21(c)/22(b)/29 of the Narcotics Drugs and Psychotropic Substances (NDPS) Act, 1985 pending before the learned Judge, Special Court (NDPS Act) at Jalpaiguri.

Learned advocate for the petitioner submits that the petitioner is in custody since 30th August, 2021. He further submits that 40 strips winspasmo-forte capsules (each containing 10 pieces), 7 bottles of Glencoff-C cough syrup (Codeine Phosphate) and 7 bottles of Ascodex-C cough syrup

(Codeine Phosphate) have been recovered from the possession of the petitioner.

Learned advocate for the State opposes the prayer for bail.

After hearing the parties and considering the materials on record and those produced and keeping in mind the period of custody as also the quantity of contraband recovered, we allow this application for bail to the following conditions:

The petitioner will be enlarged on bail upon furnishing a bond of Rs. 20,000/- (Two Thousand) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Court (NDPS Act) at Siliguri, Darjeeling on the following conditions:

1. The petitioners should be present in court on the dates when the trial is fixed.
2. They shall not leave the local limits of the jurisdictional police station where he resides without informing the I.C.
3. They shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
4. The petitioners shall attend the court on each and every day of trial, in default, the court shall be at liberty to cancel the bail bond without any reference to this bench.

The application for bail CRM (NDPS) 309 of 2023 is,
accordingly, disposed of.

(Ananya Bandyopadhyay, J.) (Arindam Mukherjee, J.)